

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 6, 17, 25, 28 and 33 have been amended. No claims have been added or canceled. Thus, claims 1-37 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1-37 were rejected as being unpatentable over U.S. Patent No. 6,381,646 issued to Zhang, et al. (*Zhang*) in view of U.S. Patent No. 6,661,799 issued to Molitor (*Molitor*). For at least the reasons set forth below, Applicants submit that *Zhang* and *Molitor* fail to render claims 1-37 obvious.

Claim 1 recites:

a first machine communicating with a second machine using a protocol that sends the first machine's network configuration data in an application data sent to the second machine via a translating access point;
receiving from a network configuration server a network configuration not subject to translation by the translating access point;
and
providing according to the protocol said received network configuration to the second machine so that said communicating may traverse the translating access point which translates network traffic so as to apparently originate from the access point without breaking the protocol.

Claim 25 recites similar limitations.

Applicants agree with the Office Action that *Zhang* does not teach receiving from a network configuration server a network configuration not subject to translation by the translating access point and providing according to the protocol the received network configuration to the second machine so that the communications may traverse the access

point without breaking the protocol. Applicants further submit that *Zhang* does not disclose communication between the first and the second machine via a translating access point.

Molitor discloses requesting a NAT rule from an external server. However, like *Zhang*, *Molitor* does not disclose communication between the first and the second machine via a translating access point. Moreover, *Molitor* does not disclose communications traversing the translating access point so as to apparently originate from the access point without breaking the protocol. Therefore, no combination of *Zhang* and *Molitor* can teach or suggest the invention as claimed in claims 1 and 25.

Claims 2-5 depend from claim 1. Claims 26 and 27 depend from claim 25. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2-5, 26 and 27 are not rendered obvious by *Zhang* and *Molitor* for at least the reasons set forth above.

Claim 6 recites:

- receiving a request for a first address of a first machine on the first network;
- allocating a second address from a server on the second network;
- providing the second network address in response to the request;
- transmitting through the access point at least one network packet having a header comprising a packet origin, and a data payload comprising the second network address;
- translating the header of the packet by the access point of the packet origin so that the network packet apparently originates from the access point; and
- using the second network address in the payload of the packet to provide a network configuration for a communications exchange.

Thus, the network packet apparently originates from the access point and a second network address in the payload of the packet is used for a packet exchange. Claim 28 recites similar limitations.

As discussed above, no combination of *Zhang* and *Molitor* can teach or suggest the combination of translation by the access point and use of the second address carried in the payload of a packet as recited by claims 6 and 28. Therefore, no combination of *Zhang* and *Molitor* can teach or suggest the invention as claimed in claims 6 and 28.

Claims 7-16 depend from claim 6. Claims 29-32 depend from claim 28. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 7-16 and 29-32 are not rendered obvious by *Zhang* and *Molitor* for at least the reasons set forth above.

Claim 17 recites:

receiving first network traffic from a network driver executing on a first machine of the internal network, said first traffic having an apparent origin of the single address;
allocating an external address on the second network;
providing the external address to a network driver of the first machine using a payload portion of a data packet; and
establishing a tunnel through the access point to the network driver so that network traffic for the external address is received by the network driver.

Thus, Applicants claim using a payload portion of a data packet to provide an address for a tunnel to be established with a device within an internal network having an access point that shares an address with multiple machines. Claim 33 recites similar limitations.

As discussed above, no combination of *Zhang* and *Molitor* can teach or suggest establishing a tunnel using an address carried in a payload portion of a data packet through an access point that shares a single address with multiple machines as recited by

claims 17 and 33. Therefore, no combination of *Zhang* and *Molitor* can teach or suggest the invention as claimed in claims 17 and 33.

Claims 18-20 depend from claim 17. Claims 34 and 35 depend from claim 33. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 18-20, 34 and 35 are not rendered obvious by *Zhang* and *Molitor* for at least the reasons set forth above.

Claim 21 recites:

providing layer-based network services including an application layer, a network driver layer, and a session layer, wherein said driver is called before said session layer;

Claim 36 recites similar limitations.

Applicants agree with the Office Action that *Zhang* does not disclose that the network driver is called before the session layer. The Office Action cites Figure 3 of *Molitor* as disclosing calling the network driver before the session layer. See page 9. However, Figure 3 does not disclose this ordering. Therefore, because neither *Zhang* nor *Molitor* disclose calling the network driver before the session layer, no combination of *Zhang* and *Molitor* can teach or suggest the invention of claims 21 and 36.


Claims 22-24 depend from claim 21. Claim 37 depends from claim 36. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 22-24 and 37 are not rendered obvious by *Zhang* and *Molitor* for at least the reasons set forth above.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-37 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.


Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: JAN 13, 2005


Paul A. Mendonsa
Attorney for Applicant
Reg. No. 42,879

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1400, Alexandria, VA 22313 on:

13 JANUARY 2004
Date of Deposit
DEBORAH L. HIGDON
Name of Person Mailing Correspondence

Signature
1-13-05
Date